

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JAMES D. HARMAN,

Plaintiff

v.

SCHUYLKILL COUNTY TAX CLAIM
BUREAU,

Defendant

CIVIL ACTION NO. 3:17-CV-623

(CAPUTO, J.)
(MEHALCHICK, M.J.)

REPORT AND RECOMMENDATION

This is a *pro se* civil rights action, brought by plaintiff James D. Harman on behalf of himself alleging claims against defendant Schuylkill County Tax Claim Bureau.

On April 7, 2017, the Plaintiff filed a complaint (Doc. 1) with the Court. On April 11, 2017, the Clerk issued a summons to the Plaintiff to facilitate service upon the Defendant in the manner prescribed by Rule 4 of the Federal Rules of Civil Procedure. (Doc. 2).

On August 16, 2017, after the 120-day period expired, the Court entered an Order to Show Cause, admonishing the Plaintiff that the action would be dismissed if the Plaintiff did not show good cause within ten days why service had not been made within the 120-day period. Plaintiff was given ten days to show cause as to why service had not been made on Defendant. As of this day, no proof of service has been filed.

Based on the foregoing, it is recommended that this action be **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

Dated: August 30, 2017

s/ Karoline Mehalchick
KAROLINE MEHALCHICK
United States Magistrate Judge

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NOTICE

NOTICE IS HEREBY GIVEN that the undersigned has entered the foregoing **Report and Recommendation** dated **August 30, 2017**.

Any party may obtain a review of the Report and Recommendation pursuant to Rule 72.3, which provides:

Any party may object to a magistrate judge's proposed findings, recommendations or report addressing a motion or matter described in 28 U.S.C. § 636(b)(1)(B) or making a recommendation for the disposition of a prisoner case or a habeas corpus petition within fourteen (14) days after being served with a copy thereof. Such party shall file with the clerk of court, and serve on the magistrate judge and all parties, written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The briefing requirements set forth in Local Rule 72.2 shall apply. A judge shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge, however, need conduct a new hearing only in his or her discretion or where required by law, and may consider the record developed before the magistrate judge, making his or her own determination on the basis of that record. The judge may also receive further evidence, recall witnesses or recommit the matter to the magistrate judge with instructions.

Dated: August 30, 2017

s/ Karoline Mehalchick
KAROLINE MEHALCHICK
United States Magistrate Judge